

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Philp et al.

Application No. \_\_\_\_\_

Filed: Herewith

Confirmation No. \_\_\_\_\_

For: METHODS AND COMPOSITIONS FOR  
THE PROMOTION OF HAIR GROWTH  
UTILIZING ACTIN BINDING PEPTIDES

Examiner: Not yet assigned

Art Unit: Not yet assigned

Attorney Reference No. 4239-64126-13

MAIL STOP PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**POWER OF ATTORNEY BY ASSIGNEE**

The Assignee hereby revokes any prior powers of attorney for this matter, and appoints practitioners associated with **Customer Number 36218** to represent the Government of the United States of America as represented by the Secretary of the Department of Health and Human Services ("the Government") in connection with this patent application.

The Government is the assignee of the entire right, title and interest of the patent application as shown in the attached assignment.

Please address all correspondence to **Customer Number 36218** at:

KLARQUIST SPARKMAN, LLP  
One World Trade Center, Suite 1600  
121 SW Salmon Street  
Portland, OR 97204-2988  
Telephone: 503-226-7391  
Fax: 503-228-9446

The National Institutes of Health Office of Technology Transfer has been duly delegated responsibility for patent matters under the authority of the memorandum dated May 21, 1991, from Louis W. Sullivan, the Secretary of the Department of Health and Human Services, delegating the authority to the Heads of the Public Health Service Operating Divisions, as well as a memorandum dated February 2, 2004, from Mark L. Rohrbaugh, Ph.D., J.D., Director, Office of Technology Transfer, National Institutes of Health, delegating authority to sign this Power of Attorney to the undersigned individual. The undersigned is therefore authorized to exercise such authority in this matter.

Executed on July 20, 2004, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

Jasbir S. Kindra  
Name: Jasbir S. Kindra  
Reg. No.: 46115  
For: Mark Rohrbaugh, Ph.D., J.D.  
Director, Office of Technology Transfer  
National Institutes of Health  
Office of Technology Transfer  
6011 Executive Boulevard, Suite #325  
Rockville, MD 20852  
Telephone: 301-496-7056

## ASSIGNMENT

We, Deborah Philp, of 14005 Cove Lane Apt.# 301, Rockville, MD 20851-1245, a citizen of the United States of America, Hynda K. Kleinman, of 9710 Hill Street, Kensington, MD 20892, a citizen of the United States of America, and Michael Elkin, of 112/5 Maagalei-Yavne Str., Jerusalem, Israel, a citizen of Israel, have invented a certain invention entitled METHODS AND COMPOSITIONS FOR THE PROMOTION OF HAIR GROWTH UTILIZING ACTIN BINDING PEPTIDES for which the following patent applications have been filed:

U.S. Provisional Patent Application No. 60/351,386, filed on January 25, 2002; and  
PCT Application No. PCT/US03/01973 filed on January 22, 2003;

both of which applications are collectively referred to herein as "the patent applications."

We were employed by the Department of Health and Human Services at the time the invention was made. The conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest in the invention, in the United States and all other countries throughout the world.

In consideration of our obligations under Executive Order 10096, and other valuable consideration, we the undersigned, have sold, assigned, and transferred and do sell, assign, and transfer to The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and successors and assigns, the full and exclusive right, title, and interest in the patent applications and invention throughout the United States of America, its territories and dependencies, and all other countries. This includes an assignment of all Letters Patent that may be granted on the invention in the United States of America and all countries throughout the world, and any divisional, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof; and the right to claim priority from the patent applications as provided for by United States law, the Patent Cooperation Treaty, the European Patent Convention, the Paris Convention, or other applicable law.

We authorize and request the issuance of said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest to be held as fully and entirely as the same would have been held by us had this assignment not been made.

We warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied that will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of the present assignment.

We also agree upon reasonable request to communicate to THE GOVERNMENT, its representatives, assigns or agents, any facts known to us respecting the invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, provide all requested documents, and do everything reasonably possible to aid THE GOVERNMENT and its assigns to obtain and enforce proper patent protection for the invention in the United States or any foreign country. These provisions are binding upon our heirs, legal representatives, administrators and assigns.

We have authorized THE GOVERNMENT to file and prosecute the patent applications, as well as any corresponding international or national applications that claim priority from them. THE GOVERNMENT has the right to select attorneys or agents of its choice to prosecute at its discretion the patent applications on its behalf.

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4239-4178-13 8-093-2002/8-178-03 06/7/04

We grant the law firm of Kjarquist Sparkman, LLP, the power to insert on this Assignment any further information that may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 7/9/04

Deborah Philp  
Deborah Philp

STATE OF Maryland ss.

COUNTY OF Montgomery

This 9 day of July, 2004, before me personally came the above-named Deborah Philp, who executed the foregoing Assignment in my presence, and who acknowledged to me that it was executed under that person's own free will for the purposes set forth therein.

ANUSHA JONES  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires July 7, 2005

[SEAL]

Notary Public for N.A. Federal Credit Union  
My commission expires July 7, 2005

Dated: 7/1/04

Hynda K. Kleinman  
Hynda K. Kleinman

Witnessed by Mario Falchi

Name (Print) MARIO FALCHI

Date 7/1/04

Dated: 7/7/2004

Michael Blon  
Michael Blon

Witnessed by Ruth Atzman

Name (Print) Ruth Atzman

Date 7/7/04

ASSIGNMENT - Page 2 of 2

TOTAL P.03

2 8 B7L '04

170007 8 X0

07:011 6007 '000 1

TOTAL P.02

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)

*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
for the purposes of the designation of the United States of America**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/US03/01973 (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international applications designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

**Prior Applications:**

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: PHILP, Deborah

Residence: Rockville, Maryland  
(city and either US state, if applicable, or country)

Mailing Address: 14005 Cove Lane, Apartment 301, Rockville, Maryland 20851-1245, United States of America

Citizenship: US

Inventor's Signature: Deborah Philp  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 2/21/03  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: KLEINMAN, Hynda K.

Residence: Kensington, Maryland  
(city and either US state, if applicable, or country)

Mailing Address: 9710 Hill Street, Kensington, Maryland 20892, United States of America

Citizenship: US

Inventor's Signature: Hynda K. Kleinman  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 02/21/03  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☒ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".



Continuation of Box No. VIII (i) to (v) **DECLARATION**

*If the space is insufficient in any of Boxes No. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

Continuation of Box No. VIII (iv) **DECLARATION: INVENTORSHIP**

300

Name: ELKIN, Michael

Residence: Jerusalem Israel  
(city and either US state, if applicable, or country)

Mailing Address: 112/5 Maagalei-Yavne Str., Jerusalem, Israel

Citizenship: Israel

Inventor's Signature: ME Elkin  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 2/27/03  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:  
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:  
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence:  
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature:  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)